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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/582,385

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Robert Andrew Rhodes

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01/31/2005

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EXAMINER

LY, ANH VU H

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicati n No.</b>	<b>Applicant(s)</b>	
	09/582,385	RHODES ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anh-Vu H Ly	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondence address --  
**Period f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

1. This communication is in response to applicant's amendment filed September 13, 2004.

Claims 1-16 are pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Solomon (US Patent No. 5,974,043).

With respect to claims 1 and 5, Solomon discloses in Fig. 1, a method for processing a voice call over WAN 10 (IP network) by WAN telephone system 6. Further, as shown in Fig. 2, the block 2 (col. 6, lines 50-52), including the WAN telephone system 6, represents the user's local equipment for each of the two users (home environment). As shown in Fig. 4, the base

station 48 (Internet phone set) has an interface for connecting to the WAN 10 (Fig. 1) and transceiver 54 for communicating with the cordless WAN telephone 42 (the Internet phone set having an Internet interface device and a wireless device). Solomon discloses in Fig. 2A, a method for processing a voice call over WAN 10, including the steps of receiving voice packets at the WAN telephone system 6 from the WAN network 10, herein, voice packets are segmented, encapsulated, and coded as IP packets (receiving, by the Internet interface device, a signal from a cable network, the signal representing Internet protocol data packets of the voice call and being both modulated in a first format and compressed to match a format of the cable network). As shown in Fig. 4, the receiver using a cordless handset therefore, the steps of demodulating and decompressing are inherent to the WAN telephone system (demodulating, by the Internet interface device, the signal modulated in the first format and decompressing, by the Internet interface device, the demodulated signal). Solomon discloses (col. 10, lines 35-44) that the cordless handset 42 and the base station 48 are implemented using 900 MHz band spread spectrum transceivers. This technology is based on Frequency Hopping or Direct Sequence, provides high security against eavesdropping and jamming. Therefore, to enable the user of the cordless handset 42 to pick up and listen to the voice packets, the WAN telephone system 6 must compress and modulate the voice packets into RF signals and transmit the RF signals over the air (compressing, modulating, and wirelessly transmitting the signals modulated in a second format to the wireless device). Herein, the cordless handset 42 must demodulate and decompress the RF signals before the signals can be hear by the user (demodulating and decompressing the signal modulated in the second format in the wireless device).

With respect to claims 2 and 6, Solomon discloses in Fig. 1, a method for processing a voice call over Internet (wherein, first format is H.323 compliant).

With respect to claims 3 and 7, Solomon discloses in Fig. 1, a method for processing a voice call over Internet; therefore, to enable a clear conversation between the users, the same codec must be used (first format comprising a same modulation scheme as the second format).

With respect to claims 4 and 8, Solomon discloses in Fig. 1, a method for processing a voice call over Internet, herein, modulation scheme of the WAN is different from the RF such as IP and PPP (first format comprising a different modulation scheme as the second format).

With respect to claims 9 and 13, Solomon discloses in Fig. 4, the base station comprising a transceiver interface 54 (an interface between the modulating and compressing means and the wireless device is a cordless telephone interface).

With respect to claims 10 and 14, Solomon discloses in Fig. 4 that the communication between the transceiver 46 and transceiver 54 is RF signals (analog signals).

With respect to claims 11 and 15, Solomon discloses in Fig. 4, the base station 48 comprising a transceiver 54 (analog cordless telephone interface is CT 1 compliant).

With respect to claims 12 and 16, Solomon discloses in Fig. 4, the base station 48 comprising a transceiver 54 for interfacing with the cordless handset 42 (cordless telephone interface is digital).

***Response to Arguments***

3. Applicant's arguments filed September 13, 2004 have been fully considered but they are not persuasive.

Applicant argues on page 7 that Solomon does not disclose or suggest the features of receiving Internet protocol voice data packets compressed to match a format of a cable network, compressing, by an Internet interface device, the decompressed signal into a format of a home environment, and decompressing the signal modulated in the second format in a wireless device, as recited in independent claim 1. Examiner respectfully disagrees.

Solomon discloses in Fig. 2A, a method of processing a voice call over WAN 10, including the steps of receiving voice packets at the WAN telephone system 6 from the WAN network 10 (cable network). Herein, voice packets are segmented, encapsulated, and coded as IP packets (cable network) (receiving Internet protocol voice data packets compressed to match a format of a cable network). Solomon discloses (col. 10, lines 35-44) that the cordless handset 42 and the base station 48 are implemented using 900 MHz band spread spectrum transceivers. This technology is based on Frequency Hopping or Direct Sequence, provides high security against eavesdropping and jamming. Therefore, to enable the user of the cordless handset 42 to pick up and listen to the voice packets, the WAN telephone system 6 must compress and modulate the voice packets into RF signals and transmit the RF signals over the air. Herein, the

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cordless handset 42 must demodulate and decompress the RF signals before the signals can be heard by the user (compressing, by an Internet interface device, the decompressed signal into a format of a home environment, and decompressing the signal modulated in a second format in a wireless device).

Applicant further argues on page 7 that Solomon does not disclose or suggest the modulation schemes for the first and second formats are the same. Examiner respectfully disagrees. Solomon discloses in Fig. 1, a method for processing a voice call over Internet; therefore, to enable a clear conversation between the users, the same codecs must be used (first format comprising a same modulation scheme as the second format).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2667 1/28/08